

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:11-HC-2014-D

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	NOTICE OF VOLUNTARY DISMISSAL
)	OF THE CERTIFICATE OF A
v.)	SEXUALLY DANGEROUS PERSON
)	AGAINST JEFFREY BARNER
JEFFREY BARNER,)	
)	
Respondent.)	

Petitioner, the United States of America, by and through the United States Attorney for the Eastern District of North Carolina, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby gives the Court notice that Petitioner is voluntarily dismissing the certificate of a sexually dangerous person against Respondent, Jeffrey Barner.

On January 25, 2011, the United States, pursuant to lawful procedures, certified Respondent as a sexually dangerous person under the Adam Walsh Act, as codified in 18 U.S.C. § 4248. (D.E. #1). Respondent is scheduled to be released for his underlying sentence of imprisonment on September 16, 2011. Based on its ongoing investigation, the United States concludes that it cannot meet its burden of proving by clear and

convincing evidence that Respondent should be committed. Therefore, the United States voluntarily dismisses its Certificate of a Sexually Dangerous Person against Respondent. By dismissing its certificate, Petitioner should release Respondent on September 16, 2011.

WHEREFORE, Petitioner gives the Court notice that Petitioner voluntarily dismisses the certificate of a sexually dangerous person against Respondent, Jeffrey Barner.

Respectfully submitted, this the 30th day of August, 2011.

THOMAS G. WALKER
United States Attorney

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CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing has been served upon Joseph L. Bell, Jr., counsel for respondent, by electronically filing the foregoing with the Clerk of Court this date, August 30, 2011, using the CM/ECF system which will send notification of such filing to the above.

THOMAS G. WALKER
United States Attorney

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